

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

Christen Hoedt, M.D.,)	
)	
Plaintiff,)	
)	No. 3:24-cv-00310
v.)	
)	
Vanderbilt University, Vanderbilt University)	
Medical Center, Vanderbilt University)	
Medical Center d/b/a Vanderbilt Wilson)	
County Hospital, Rick W. Wright, M.D.,)	
Gregory G. Polkowski, M.D., the United)	
States Department of Health and Human)	
Services, and Xavier Becerra, in his official)	
Capacity as Secretary, United States)	
Department of Health and Human Services,)	
)	
Defendants.)	

**DEFENDANTS VANDERBILT UNIVERSITY MEDICAL CENTER, VANDERBILT
UNIVERSITY MEDICAL CENTER D/B/A VANDERBILT WILSON COUNTY
HOSPITAL, RICK W. WRIGHT, M.D., AND GREGORY G. POLKOWSKI, M.D.'S
PARTIAL MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT
PURSUANT TO RULE 12(b)(6)**

Come now the Defendants, Vanderbilt University Medical Center, Vanderbilt University Medical Center d/b/a Vanderbilt Wilson County Hospital, Rick W. Wright, M.D., and Gregory G. Polkowski, M.D. (collectively, "Movants"), and hereby submit this Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. As discussed more specifically in their contemporaneously filed Memorandum of Law, the Movants respectfully request the entry of an Order dismissing all claims against them in the Amended Complaint that arise from alleged conduct occurring before the execution of the valid and enforceable settlement agreement, attached to the original Complaint as Exhibit 2. The claims based upon alleged conduct occurring prior to

September 9, 2022 are subject to the general release contained in the settlement agreement and, therefore, fail to state a claim for which relief can be granted. Additionally, to the extent Plaintiff attempts to assert any defamation claim against any Movant, such claim(s) should be dismissed for failure to state a claim for which relief can be granted.

In support of this Motion, the Movants rely upon the Memorandum of Law filed contemporaneously herewith and the pleadings filed to date.

Respectfully submitted,

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Attorneys for Defendants Vanderbilt University Medical Center, Vanderbilt University Medical Center d/b/a Vanderbilt Wilson County Hospital, Rick W. Wright, M.D., and Gregory G. Polkowski, M.D.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on May 20, 2024, a true and correct copy of the foregoing document was filed with the Clerk of the Court using the ECF System, which sent notification of such filing to the following:

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